

**RESOLUTION
NO. 2881**

**A RESOLUTION ESTABLISHING
NON-UNION EMPLOYEE BENEFITS**

WHEREAS, the City desires to provide for vacations, holidays, sick leave, and other benefits for employees of the City of Warren.

NOW, THEREFORE, it is hereby resolved by the Council of the City of Warren as follows:

SECTION 1. REPEALER. *Resolution No. 2266, and all amendments thereto, are hereby repealed in their entirety.*

SECTION 2. DEFINITIONS. Unless otherwise expressly stated, the following words and phrases shall have for the purpose of this Resolution, the meanings respectively herein indicated:

A. The word "employee" shall include those employed by the City on a regular full-time basis, but excluding all persons covered by collective bargaining agreements with the City, part-time personnel, temporary employees, and employees covered by personal service agreements; and

B. "Working Day" shall mean the working hours in each day of each week, and in accordance with a schedule established by the City; and

C. The word "day" shall mean a working day; and

D. In this Resolution, the use of the singular shall include the plural and the use of the masculine gender shall include the feminine gender.

SECTION 3. VACATIONS. All employees shall be entitled to vacation with full pay in accordance with the following provisions.

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| After 12 months of continuous service | - | 7 working days |
| After 24 months of continuous service | - | 12 working days |
| After 60 months of continuous service | - | 14 working days |
| After 96 months of continuous service | - | 15 working days |
| After 120 months of continuous service | - | 17 working days |
| After 156 months of continuous service | - | 20 working days |
| After 240 months of continuous service | - | 22 working days |

A. Such vacation shall be in accordance with a vacation schedule approved by the head of the department or City Manager or both. Vacation time off due in each calendar year is to be taken in the calendar year such vacation is due. If, for any reason, employees cannot take vacation days in accordance with an approved schedule, then, upon approval of the department head and City Manager, the employee will be allowed to carry over those days not taken to the following calendar

year or be compensated for such days not taken at the discretion and approval of the City Manager. A day's pay shall be computed as follows:

1. For salaried employees – by dividing his annual salary by 260.
2. For hourly employees – by multiplying by 8.

B. Absence from duty whereby an employee is eligible to receive compensation will not interrupt the continuous service of an employee. Therefore, such employee would continue to accumulate service credit for retirement, sick leave, and vacation.

C. In the event that the employment of an employee is terminated, other than by retirement, at a time when he has vacation time due for the calendar year in which such termination may occur, he shall be paid at the time of termination for the amount of vacation days due at the date of termination of employment and in the amount as is provided for in Paragraph A above.

SECTION 4. SICK LEAVE. The following provisions shall be in effect concerning sick leave:

A. All employees shall be entitled to 1.5 days of sick leave for each continuous month of service. Accumulation of sick leave is unlimited.

B. Sick leave shall begin on the day on which an employee reports off sick by contacting the head of the department in which he is employed. Each employee who is absent for five (5) or more working days shall, if requested to do so, furnish the Department Head or City Manager with a doctor's certificate evidencing his illness and stating the employee is fit to fully perform his work. Any employee who calls in sick at any time may be required to submit to a physical examination by a physician of the City's choice at the City's expense. Abuse of sick leave or refusal to submit to such an examination is cause for dismissal.

C. Sick leave shall be recorded by the Department Head, or his designees, on forms provided by the City Manager and submitted to the office of the City Manager. The sick leave records of each employee shall be kept and maintained in the office of the City Manager.

D. Department heads and supervisory employees who have accumulated sick leave days may discontinue work before actual retirement date for the number of days as set forth in the following schedule:

| | | | | |
|-----|--------------|---|----|--------------------|
| 201 | days or more | - | 30 | days with full pay |
| 166 | to 200 | - | 25 | days with full pay |
| 131 | to 165 | - | 20 | days with full pay |
| 96 | to 130 | - | 15 | days with full pay |
| 61 | to 95 | - | 10 | days with full pay |
| 26 | to 60 | - | 5 | days with full pay |
| 25 | days or less | - | 0 | |

E. Department Heads and supervisory personnel shall be eligible to participate in a group disability program providing the following benefits:

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|------------------------|---|
| Monthly Benefit Amount | 60% of salary to a maximum benefit of \$4,000 per month |
| Elimination Period | 90 days |
| Duration of Benefits | To Age 63 / Reducing Benefit Duration |

Eligible employees may use accumulated sick leave for disability purpose. Upon sick leave being exhausted, employee will receive compensation in accordance with disability benefits in effect.

SECTION 5. PAID HOLIDAYS. Beginning January 1, 1992, each employee after one month of continuous service, shall be granted the following paid holidays:

1. New Year's Day
2. Good Friday
3. Memorial Day
4. Independence Day
5. Labor Day
6. Veterans' Day
7. Thanksgiving Day
8. Day After Thanksgiving Day
9. Christmas Eve Day
10. Christmas Day
11. New Year's Eve Day
12. Two (2) Personal Days

If any of the following holidays occur on a Friday, they shall be observed on a Thursday: Christmas Eve Day and New Year's Eve Day.

If any of the following holidays occur on a Saturday, they shall be observed on a Friday: Christmas Day and New Year's Day.

If any of the following holidays occur on a Sunday, they shall be observed on a Monday: New Year's Day, Independence Day, Christmas Day.

If Christmas Eve Day or New Year's Eve Day falls on a Saturday or Sunday, it shall be celebrated as a Floating Holiday.

If Independence Day or Veterans' Day falls on a Saturday, it shall be observed on the preceding Friday. If either of these holidays falls on Sunday, it shall be observed the following Monday.

SECTION 6. DEATH IN FAMILY.

A. Each employee shall be granted three (3) days off with pay in the event of death of a member of the immediate family. A member of the immediate family shall be defined to include only the following persons: parents, spouse, child, brother, sister, parents-in-law, grandchildren, and grandparents. Such time off shall begin the calendar day following the death and compensation shall be granted for the next three (3) working days.

B. Each employee shall be granted one (1) full day off with pay for the purpose of attending the funeral of an aunt, uncle, nephew, niece, sister-in-law, or brother-in-law. The term "full day off with pay" shall mean a regular scheduled working day.

SECTION 7. JURY DUTY. An employee who is called for jury duty and participates in jury service will be paid an amount necessary to supplement the amount received for jury service so that the total amount he would have received from the City and from jury service shall be equal to his straight hourly rate for such working days or salary if he is a salaried employee, the same as if he had worked for the City. To be entitled to such pay, the employee must present proof of jury service and of the amount of pay received therefore.

SECTION 8. Employees shall be entitled to these additional benefits as follows:

A. All employees shall be covered by a HIGHMARK PPO Plan and a basic dental plan.

B. All employees and members of their immediate families will be required to share in the cost of medical healthcare benefits as provided by the City of Warren.

1. A deductible of \$100 per person with a maximum of \$200 per family per year will be added to the policy agreement.
2. Medical office visit co-pays will be set at \$15 per office visit. Emergency Room co-pays will be set at \$35 per visit.
3. ***Employee health insurance cost share payroll withholding will be \$25 per payday for calendar year 2012, \$30 per payday for calendar year 2013, and \$40 per payday for calendar year 2014.***
4. Prescription costs are set at \$10/\$20.
5. An IRS Section 125 tax-deductible program will be offered to all employees.

In addition, a yearly buyout will be offered under which an employee may transfer himself, his spouse, and family from the City healthcare plan to another plan for a yearly compensation of \$2,500. The employee may option out as a single for a yearly compensation of \$1,500 or option out his spouse and family only for \$1,500 per year. The employee may also option out of the City plan but must provide proof of an equitable healthcare plan. A

window of opportunity each year from October 31 to November 15 will be provided to option in or option out of the City healthcare plan. Employees may option in at any time due to a qualifying change of status including, but not limited to, marriage, divorce, legal separation, birth or adoption of a child, or loss of other coverage. The option out is limited to maintaining a minimum pool of at least fifty-two (52) employees participating in the City healthcare plan on a first-come, first-served basis due to plan costs.

C. Life Insurance:

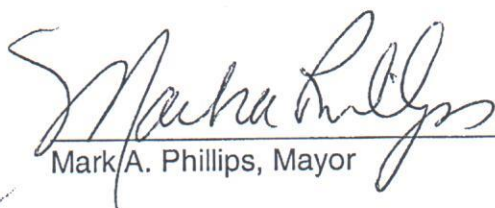
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|---|----------|
| Department heads and supervisory personnel | \$50,000 |
| Employees other than department heads and supervisory personnel | \$35,000 |

SECTION 9. Retired non-union employees, their spouse, and any dependents covered at the time of retirement may participate, at their own expense, in the group health insurance plan in effect at the time of their retirement and as described in Section 7. (A), until age 65 or Medicare eligibility.

SECTION 10. All provisions, as provided for by this Resolution, shall be effective as of January 1, 2012, and shall continue until amended or revised by City Council.

SECTION 11. SEVERABILITY. *The provisions of this Resolution are severable. If any sentence, clause, or section is for any reason found to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any of the remaining provisions of this Resolution.*

ADOPTED this 19th day of December, 2011.


Mark A. Phillips, Mayor


James C. Nelles, City Manager